

SO ORDERED: September 14, 2018.




Jeffrey J. Graham
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

In re:)	
)	Case No. 15-07401-JJG
S&S STEEL SERVICES, INC.)	
)	Chapter 7
Debtor.)	
)	

**ORDER APPROVING APPLICATION OF ICE MILLER LLP FOR FINAL
ALLOWANCE AND PAYMENT OF COMPENSATION AND REIMBURSEMENT OF
EXPENSES AS SPECIAL COUNSEL TO THE CHAPTER 7 TRUSTEE (DOC. NO. 582)**

This matter is before the Court on the *Application of Ice Miller LLP for Final Allowance and Payment of Compensation and Reimbursement of Expenses as Special Counsel to the Chapter 7 Trustee* (Doc. No. 582) (the “Application”) filed by Ice Miller LLP (the “Applicant”). By the Application, Applicant seeks final allowance and payment of compensation and reimbursement of expenses as special counsel for Randall Woodruff, Chapter 7 Trustee for the Bankruptcy Estate of S&S Steel Services, Inc. (the “Trustee”). On August 15, 2018, creditors and parties in interest Barry Sharp, Sheree Sharp, Shannon Sharp, Zachary Sharp, SAS LLP, Z&S Sharp Real Estate, Inc., Nahum Enterprises, LLC and Lead Dog Transport, LLC

(collectively, the “Sharp Parties”) filed their *Limited Objection to Final Fee Application for Allowance and Payment of Compensation and Reimbursement of Fees* (Doc. No. 607) (the “Limited Objection”). Wells Fargo Bank, National Association (“Wells Fargo”) filed the *Reply of Wells Fargo Bank, National Association to the Sharp Parties’ Limited Objection to Final Fee Application for Allowance and Payment of Compensation and Reimbursement of Expenses* (Doc. No. 611) (the “Reply”). The Court, having reviewed the Application, the Limited Objection, and the Reply, having been advised that the Applicant, the Trustee, the Sharp Parties, and Wells Fargo agree on entry of this Order, and finding that the Application takes into account the factors set forth in 11 U.S.C. § 330(a)(3), now finds that the Application should be, and hereby is, GRANTED as follows:

IT IS ORDERED that Applicant’s compensation for attorney fees as special counsel to the Trustee is allowed in the amount of \$41,758.82 (the “Fees”) pursuant to 11 U.S.C. § 330(a) and Rule 2016 of the Federal Rules of Bankruptcy Procedure, such fees representing compensation for actual and necessary services rendered by Applicant to the Trustee.

It is further ORDERED that Applicant’s reimbursement for out-of-pocket expenses is allowed in the amount of \$4,403.76 (the “Expenses”) pursuant to pursuant to 11 U.S.C. § 330(a) and Rule 2016 of the Federal Rules of Bankruptcy Procedure, such expenses representing actual and necessary out-of-pocket expenses incurred by Applicant on behalf of the Trustee.

It is further ORDERED that Applicant’s fees of \$65,863.46 and expenses of \$7,200.41 as previously allowed on an interim basis and paid pursuant to this Court’s *Order Granting First Interim Application of Ice Miller LLP for Allowance and Payment of Compensation and Reimbursement of Expenses as Special Counsel to the Chapter 7 Trustee for Services Rendered*

from January 21, 2016 through July 18, 2017 (Doc. No. 476) (the “Interim Order”) are hereby approved on a final basis.

It is further ORDERED that the Trustee shall pay to the Applicant the Fees and Expenses provided however, that such Fees and Expenses, and the fees and expenses paid pursuant to the Interim Order, shall be subject to disgorgement in the event that there are insufficient funds to pay all Chapter 7 administrative expenses and claims in accordance with the Bankruptcy Code.

It is further ORDERED that entry of this Order does not in any way impair or affect the validity and priority of the allowed administrative expense claim of Wells Fargo under the terms set forth in the Fifth Interim Order Granting Debtor’s First Day Motion for Authorization to Use Cash Collateral Pursuant to 11 U.S.C. § 363 and Granting Adequate Protection to Prepetition Secured Lender Pursuant to 11 U.S.C. § 361 (Doc. No. 148) and the Stipulation and Agreed Entry Allowing Administrative Expense Claim of Wells Fargo Bank, National Association (Doc. No. 268), the validity, priority, and allowance of which are expressly preserved.

###